

Remarks

The Office Action mailed December 14, 2004 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-29 and 31-59 are pending in this application. Claims 1-58 stand rejected. Claim 30 has been cancelled. Claim 59 has been newly added. No new matter has been added.

In accordance with 37 C.F.R. 1.136(a), a one month extension of time is submitted herewith to extend the due date of the response to the Office Action dated December 14, 2004, for the above-identified patent application from March 14, 2005, through and including April 14, 2005. In accordance with 37 C.F.R. 1.17(a)(3), authorization to charge a deposit account in the amount of \$120.00 to cover this extension of time request also is submitted herewith.

A fee calculation sheet for a newly added claim along with authorization to charge a deposit account in the amount of the calculated fee is submitted herewith.

The rejection of Claims 1-58 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,671,693 ("Marpe") is respectfully traversed.

Applicants respectfully submit that Marpe neither describes nor suggests the claimed invention. As discussed below, at least one of the differences between Marpe and the present invention is that Marpe neither describes nor suggests a method of accumulating knowledge from prior due diligence exercises including valuating assets in a portfolio individually and collectively by segmenting the portfolio of assets into three valuation portions, and by underwriting each asset individually included within a first portion of the asset portfolio, grouping and underwriting a sample of assets included within a second portion of the asset portfolio, and using the computer to statistically infer a value for assets included within a third portion of the asset portfolio.

Moreover, Marpe neither describes nor suggests accumulating such knowledge, storing the accumulated knowledge in a data repository, accessing the accumulated knowledge in the

data repository from prior due diligence exercises, applying the accumulated knowledge from past due diligence exercises to the current due diligence exercise, and storing newly accumulated knowledge from the current due diligence exercise into the data repository of accumulated knowledge.

Rather, Marpe describes collecting and disseminating information which is retrieved from multiple users in a plurality of categories, wherein access is provided to the data via an interface which lists the data categories and the user can subscribe to a data category and access the data category. Marpe does not describe, suggest or even mention valuating assets in a portfolio individually and collectively by segmenting the portfolio of assets into three valuation portions, and by underwriting each asset individually included within a first portion of the asset portfolio, grouping and underwriting a sample of assets included within a second portion of the asset portfolio, and using the computer to statistically infer a value for assets included within a third portion of the asset portfolio.

Claim 1 recites a method for collaborating on due diligence issues to affect efficient asset underwriting and process knowledge building within due diligence teams using a computer system coupled to a data repository, the method includes “accumulating knowledge from prior due diligence exercises including valuating assets in a portfolio individually and collectively by segmenting the portfolio of assets into three valuation portions and by...underwriting each asset individually included within a first portion of the asset portfolio...grouping and underwriting a sample of assets included within a second portion of the asset portfolio...and using the computer to statistically infer a value for assets included within a third portion of the asset portfolio...storing the accumulated knowledge in the data repository...accessing the stored, accumulated knowledge in a the data repository from prior due diligence exercises...conducting a current due diligence exercise...applying the accumulated knowledge from past due diligence exercises to the current due diligence exercise...and storing newly accumulated knowledge from the current due diligence exercise into the data repository of accumulated knowledge.”

In contrast, Marpe describes collecting and disseminating information which is retrieved from multiple users in a plurality of categories. Access is provided to the data via an interface

which lists the data categories. The user can subscribe to a data category and access the data category. Notably, and in particular, Marpe describes information being retrieved from a plurality of categories and does not statistically infer a value for an asset included within a third portion of an asset portfolio.

Although the Office Action suggests that Marpe discloses “a method, system and computer for collaborating on due diligence issues to affect efficient knowledge building within due diligence teams, said method comprising the steps of accessing stored accumulated knowledge in a repository from prior due diligence exercises, applying to due diligence decisions criteria based on consolidated analytical building blocks of past due diligence exercises, and storing newly accumulated knowledge from the current due diligence exercise into the repository of accumulated knowledge,” Marpe does not describe or suggest valuating assets in a portfolio individually and collectively by segmenting the portfolio of assets into three valuation portions. In particular, Marpe does not describe or suggest underwriting each asset individually included within a first portion of the asset portfolio. Moreover, Marpe does not describe or suggest grouping and underwriting a sample of assets included within a second portion of the asset portfolio. Furthermore, Marpe does not describe or suggest using a computer to statistically infer a value for assets included within a third portion of the asset portfolio. Nor does Marpe describe proactively reporting the current valuation activity status relating to risk and return or underwriting project status. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Marpe.

For at least the reasons as set forth above, Applicants respectfully request that the 35 U.S.C. § 102(e) rejection of Claim 1 be withdrawn.

Claims 2-12 depend, directly or indirectly, from independent Claim 1 which is submitted to be in condition for allowance. When the recitations of Claims 2-12 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-12 are also patentable over Marpe.

Claim 13 recites a system for enabling a due diligence team collaborating on due diligence issues to obtain efficient knowledge building, the system comprising “at least one computer...at least one server configured to...store accumulated knowledge in a data repository from prior due diligence exercises including data relating to valuating assets in a portfolio by...segmenting the portfolio of assets into three valuation portions...underwriting each asset included within a first portion of the asset portfolio...grouping and underwriting a sample of assets included within a second portion of the asset portfolio...and statistically inferring a value for each asset included within a third portion of the asset portfolio...access the stored, accumulated knowledge in the data repository from prior due diligence exercises for a current due diligence exercise...apply the accumulated knowledge from past due diligence exercises to the current due diligence exercise...and store newly accumulated knowledge from the current due diligence exercise into the data repository of accumulated knowledge...and a network connecting said at least one computer to said server, said server further configured to access information over the Internet.”

In contrast, Marpe describes collecting and disseminating information which is retrieved from multiple users in a plurality of categories. Access is provided to the data via an interface which lists the data categories. The user can subscribe to a data category and access the data category. Notably, and in particular Marpe describes information being retrieved from a plurality of categories and does not statistically infer a value for an asset included within a third portion of an asset portfolio.

Although the Office Action suggests that Marpe discloses “a method, system and computer for collaborating on due diligence issues to affect efficient knowledge building within due diligence teams, said method comprising the steps of accessing stored accumulated knowledge in a repository from prior due diligence exercises, applying to due diligence decisions criteria based on consolidated analytical building blocks of past due diligence exercises, and storing newly accumulated knowledge from the current due diligence exercise into the repository of accumulated knowledge,” Marpe does not describe or suggest valuating assets in a portfolio individually by segmenting the portfolio of assets into three valuation portions. In particular, Marpe does not describe or suggest underwriting each asset included within a first portion of the

asset portfolio. Moreover, Marpe does not describe or suggest grouping and underwriting a sample of assets included within a second portion of the asset portfolio. Furthermore, Marpe does not describe or suggest using a computer to statistically infer a value for each asset included within a third portion of the asset portfolio. Accordingly, Applicants respectfully submit that Claim 13 is patentable over Marpe.

For at least the reasons as set forth above, Applicants respectfully request that the 35 U.S.C. § 102(e) rejection of Claim 13 be withdrawn.

Claims 14-24 depend, directly or indirectly, from independent Claim 13 which is submitted to be in condition for allowance. When the recitations of Claims 14-24 are considered in combination with the recitations of Claim 13, Applicants submit that dependent Claims 14-24 are also patentable over Marpe.

Claim 25 recites a computer configured to provide a due diligence team collaborating on due diligence issues with efficient knowledge building, the computer programmed to “accumulate knowledge from prior due diligence exercises including valuating assets in a portfolio individually and collectively by segmenting the portfolio of assets into three valuation portions and by...underwriting each asset included within a first portion of the asset portfolio...grouping and underwriting a sample of assets included within a second portion of the asset portfolio...and statistically inferring a value and risk for each asset included within a third portion of the asset portfolio...store the accumulated knowledge in a data repository...access the stored, accumulated knowledge in the data repository from prior due diligence exercises...conduct a current due diligence exercise...apply the accumulated knowledge from past due diligence exercises to the current due diligence exercise...and store newly accumulated knowledge from the current due diligence exercise into the data repository of accumulated knowledge.”

In contrast, Marpe describes collecting and disseminating information which is retrieved from multiple users in a plurality of categories. Access is provided to the data via an interface which lists the data categories. The user can subscribe to a data category and access the data

category. Notably, and in particular Marpe describes information being retrieved from a plurality of categories and does not statistically infer a value for an asset included within a third portion of an asset portfolio.

Although the Office Action suggests that Marpe discloses “a method, system and computer for collaborating on due diligence issues to affect efficient knowledge building within due diligence teams, said method comprising the steps of accessing stored accumulated knowledge in a repository from prior due diligence exercises, applying to due diligence decisions criteria based on consolidated analytical building blocks of past due diligence exercises, and storing newly accumulated knowledge from the current due diligence exercise into the repository of accumulated knowledge,” Marpe does not describe or suggest valuating assets in a portfolio individually by segmenting the portfolio of assets into three valuation portions. In particular, Marpe does not describe or suggest underwriting each asset included within a first portion of the asset portfolio. Moreover, Marpe does not describe or suggest grouping and underwriting a sample of assets included within a second portion of the asset portfolio. Furthermore, Marpe does not describe or suggest using a computer to statistically infer a value and risk for each asset included within a third portion of the asset portfolio. Accordingly, Applicants respectfully submit that Claim 25 is patentable over Marpe.

For at least the reasons as set forth above, Applicants respectfully request that the 35 U.S.C. § 102(e) rejection of Claim 25 be withdrawn.

Claim 30 has been cancelled. Claims 26-29 and 31-36 depend, directly or indirectly, from independent Claim 25 which is submitted to be in condition for allowance. When the recitations of Claims 26-29 and 31-36 are considered in combination with the recitations of Claim 25, Applicants submit that dependent Claims 26-29 and 31-36 are also patentable over Marpe.

Claim 37 recites a computer program embodied on a computer readable medium to provide a due diligence team collaborating on due diligence issues with efficient asset underwriting and process knowledge building, the computer program comprising “a code

segment that...sets up a directory structure to organize information into a centralized database, wherein the information includes knowledge from prior due diligence exercises accumulated at least partially by valuating assets in a portfolio individually and collectively by...underwriting each asset included within a first portion of the asset portfolio...grouping and underwriting a sample of assets included within a second portion of the asset portfolio...and statistically inferring a value and risk for each asset included within a third portion of the asset portfolio...and provides users access to the information stored in the centralized database to facilitate decision making in response to an inquiry.”

In contrast, Marpe describes collecting and disseminating information which is retrieved from multiple users in a plurality of categories. Access is provided to the data via an interface which lists the data categories. The user can subscribe to a data category and access the data category. Notably, and in particular Marpe describes information being retrieved from a plurality of categories and does not statistically infer a value for an asset included within a third portion of an asset portfolio.

As mentioned above, Marpe does not describe or suggest a code segment that sets up a directory structure to organize information into a centralized database, wherein the information includes knowledge from prior due diligence exercises accumulated at least partially by valuating assets in a portfolio individually and collectively by underwriting each asset included within a first portion of the asset portfolio, grouping and underwriting a sample of assets included within a second portion of the asset portfolio, and/or statistically inferring a value and risk for each asset included within a third portion of the asset portfolio. Accordingly, Applicants respectfully submit that Claim 37 is patentable over Marpe.

For at least the reasons as set forth above, Applicants respectfully request that the 35 U.S.C. § 102(e) rejection of Claim 37 be withdrawn.

Claims 38-46 depend, directly or indirectly, from independent Claim 37 which is submitted to be in condition for allowance. When the recitations of Claims 38-46 are considered

in combination with the recitations of Claim 37, Applicants submit that dependent Claims 38-46 are also patentable over Marpe.

Claim 47 recites a computer program embodied on a computer readable medium for managing due diligence, the computer program capable to be processed by a server system coupled to a centralized interactive database and at least one client system, the computer program comprising “a code segment that receives information including knowledge from prior due diligence exercises accumulated at least partially by valuating assets in a portfolio individually and collectively by...underwriting each asset included within a first portion of the asset portfolio...grouping and underwriting a sample of assets included within a second portion of the asset portfolio...and statistically inferring a value and risk for each asset included within a third portion of the asset portfolio...a code segment that enters the information into a centralized database...a code segment that stores the information into the centralized database and cross-reference the information against unique identifiers...and a code segment that provides the information in response to an inquiry.”

In contrast, Marpe describes collecting and disseminating information which is retrieved from multiple users in a plurality of categories. Access is provided to the data via an interface which lists the data categories. The user can subscribe to a data category and access the data category. Notably, and in particular Marpe describes information being retrieved from a plurality of categories and does not statistically infer a value for an asset included within a third portion of an asset portfolio.

As mentioned above, Marpe does not describe or suggest a code segment that receives information including knowledge from prior due diligence exercises accumulated at least partially by valuating assets in a portfolio individually and collectively by underwriting each asset included within a first portion of the asset portfolio, grouping and underwriting a sample of assets included within a second portion of the asset portfolio, and/or statistically inferring a value and risk for each asset included within a third portion of the asset portfolio. Accordingly, Applicants respectfully submit that Claim 47 is patentable over Marpe.

For at least the reasons as set forth above, Applicants respectfully request that the 35 U.S.C. § 102(e) rejection of Claim 47 be withdrawn.

Claims 48-55 depend, directly or indirectly, from independent Claim 47 which is submitted to be in condition for allowance. When the recitations of Claims 48-55 are considered in combination with the recitations of Claim 47, Applicants submit that dependent Claims 48-55 are also patentable over Marpe.

Claim 56 recites a centralized database comprising “data corresponding to various projects...data corresponding to flow maps identifying sources and uses of the information...data corresponding to financial models and business process tools...data corresponding to best practices...and data corresponding to valuation process and underwriting including knowledge from prior due diligence exercises accumulated at least partially by valuating assets in a portfolio individually and collectively by...underwriting each asset included within a first portion of the asset portfolio...grouping and underwriting a sample of assets included within a second portion of the asset portfolio...and statistically inferring a value and risk for each asset included within a third portion of the asset portfolio.”

In contrast, Marpe describes collecting and disseminating information which is retrieved from multiple users in a plurality of categories. Access is provided to the data via an interface which lists the data categories. The user can subscribe to a data category and access the data category. Notably, and in particular Marpe describes information being retrieved from a plurality of categories and does not statistically infer a value for an asset included within a third portion of an asset portfolio.

As mentioned above, Marpe does not describe or suggest a centralized database comprising data corresponding to valuation process and underwriting including knowledge from prior due diligence exercises accumulated at least partially by valuating assets in a portfolio individually and collectively by underwriting each asset included within a first portion of the asset portfolio, grouping and underwriting a sample of assets included within a second portion of the asset portfolio, and/or statistically inferring a value and risk for each asset included within a

third portion of the asset portfolio. Accordingly, Applicants respectfully submit that Claim 56 is patentable over Marpe.

For at least the reasons as set forth above, Applicants respectfully request that the 35 U.S.C. § 102(e) rejection of Claim 56 be withdrawn.

Claims 57 and 58 depend, directly or indirectly, from independent Claim 56 which is submitted to be in condition for allowance. When the recitations of Claims 57 and 58 are considered in combination with the recitations of Claim 56, Applicants submit that dependent Claims 57 and 58 are also patentable over Marpe.

For at least the reasons set for above, Applicants respectfully request that the Section 102 rejection of Claims 1-58 be withdrawn.

Newly added Claim 59 is an independent claim that recites a “method for collaborating on due diligence issues to affect efficient knowledge building within due diligence teams using a computer system coupled to a data repository”. Applicants respectfully submit that none of the cited art describes or teaches a method as recited in Claim 59. Therefore, Applicants submit that Claim 59 is patentable over the cited art.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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